

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

June 12, 2024

LAURA A. AUSTIN, CLERK

BY:

/s/T. Taylor
DEPUTY CLERK

THAD GILBERT COOPER,

Plaintiff,

v.

C/O JOHNSON, *et al.*,

Defendants.

Civil Action No. 7:23cv00324

MEMORANDUM OPINION

By: Hon. Thomas T. Cullen
United States District Judge

Plaintiff Thad Gilbert Cooper, an inmate proceeding *pro se*, filed this civil action under 42 U.S.C. § 1983. By Order entered on April 16, 2024, the court granted defendants Johnson and Kennedy's motion for a more definite statement. (ECF No. 27.) In its Order, the court noted that although Cooper alleged that these defendants physically assaulted and sexually harassed him, he did not provide dates or other details surrounding the alleged incidents that would allow the defendants to properly respond to Cooper's complaint. (*Id.*) Accordingly, the court directed Cooper to file a more definite statement concerning his claims against these defendants within 30 days of the entry of the Order. The court advised Cooper that the statement should include the dates of the alleged incidents and any other details that would assist the defendants in responding to his complaint. The court warned Cooper that if he did not file a more definite statement, the court would dismiss his claims against defendants Johnson and Kennedy for failure to prosecute.

The time to respond has passed and Cooper has not filed anything with the court. Therefore, the court will dismiss Cooper's claims against defendants Johnson and Kennedy

without prejudice for failure to prosecute. The court notes that Dr. B. Mullins remains as a defendant to this action and has filed an Answer. (*See* ECF No. 21.)

The Clerk is directed to send copies of this Memorandum Opinion and the accompanying Order to the parties.

ENTERED this 12th day of June, 2024.

/s/ Thomas T. Cullen
HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE